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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,027	12/13/2001	Bruce Barger	8711RR	4900

27752 7590 07/11/2005

THE PROCTER & GAMBLE COMPANY  
INTELLECTUAL PROPERTY DIVISION  
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CINCINNATI, OH 45224

EXAMINER

EL ARINI, ZEINAB

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/022,027

**Applicant(s)**

BARGER ET AL.

**Examiner**

Zeinab E. EL-Arini

**Art Unit**

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 22, 23 and 25-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22, 23 and 25-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>02/28/05</u>  | 6) <input type="checkbox"/> Other: _____                                    |

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### **DETAILED ACTION**

The amendment and remarks filed 04/12/05 have been acknowledged and entered.

Claims 22-23, and 25-30 are pending.

The double patenting rejection stated in paper No.112204 has been withdrawn in view of the terminal disclaimer.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 29 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to

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reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification, as originally filed, does not provide support for "consisting essentially of" as is now claimed in claim 29.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22-23 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aubay et al.

(WO01/05920) or (6,569,261) in combination with Hueber et al.

Aubay et al. disclose a method of cleaning and rinsing vehicles using the cleaning composition, as structurally recited in claim 23. The references teach cleaning, followed by rinsing and drying the vehicles. See pages 30, 35, and 68 (WO'920). The references disclose the surfactant as claimed.

Aubay et al teach the invention substantially as claimed with the exception of rinsing the vehicles with tap water and then rinsing with purified rinse water using a hose-end purifying device.

Huebner et al. disclose a process for washing a vehicle surface where there is provided a step of providing

a tap water rinse between step of contacting the surface with cleaning composition and the step of rinsing the surface with purified rinse water (see col. 8, lines 29-50, col. 1, line 20- col. 2, line 9).

It would have been obvious to one having ordinary skill in the art to modify the washing process of Aubay et al. to include the tap water rinse step as taught by Huebner et al. for the purpose of conserving the purified/deionized rinse water.

Claims 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aubay et al. in combination with Yeiser and Chura et al. (5,595,345).

Aubay et al. disclose a method of cleaning and rinsing vehicles using the cleaning composition, as structurally recited in claim 23. The references teach cleaning, followed by rinsing and drying the vehicles. See pages 30, 35, and 68 (WO'920). The references disclose the surfactant as claimed.

Aubay et al teach the invention substantially as claimed with the exception of rinsing the vehicles with tap water and then rinsing with purified rinse water using a hose-end purifying device.

Yeiser teaches a hand-held water sprayer for use in washing vehicles. On pages 3-4, bridging Yeiser teaches washing the vehicles by first washing with a cleaning solution, followed by rinsing with tap water to remove the

washing solution, and then rinsing with the demineralized water for purposes of removing the tap water rinse. On page 4, lines 20-25, and page 18, lines 30-35, Yeiser teaches the sprayer having a purifying device comprising an ion-exchange resin 404 (Fig. 13). On page 18, lines 8-10, Yeiser teaches that the sprayer can be fitted with a conventional garden hose trigger control valve.

It would have been obvious to a person of ordinary skill in the art to modify the method of Aubay et al., to include the sprayer of Yeiser having ion-exchange resin, for purposes of purifying the water used for rinsing of the vehicles.

It would have been obvious for one skill in the art to have modified the method of Aubay et al. to include rinsing



with tap water, followed by purified water, as taught by Yeiser for purposes of initially removing the cleaning solution and further rinsing with purified water to remove the tap water.

Aubay et al. in combination with Yeiser teach the invention substantially as claimed with the exception of a sprayer having a valving system.

Chura et al. teach a sprayer 2 having a multi-position valving member 40 for purposes of selectively spraying the cleaning solution and the rinsing solution onto the surface to be cleaned.

It would have been obvious to a person of ordinary skill in the art to have modified the modified method of Aubay et al. to include a sprayer having a valving system, as taught by Chura et al. for purposes of selectively spraying the cleaning or rinsing solution onto the surface in a convenient manner.

### ***Response to Arguments***

Applicant's arguments with respect to claims 22-23 and 25-30 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zeinab E. EL-Arini whose telephone number is (571) 272-

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1301. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Zeinab Elarini*  
Zeinab E. EL-Arini  
Primary Examiner  
Art Unit 1746

ZEE  
07/07/05